

# Indiana House of Representatives

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## News and Information

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**FOR IMMEDIATE RELEASE:**

**January 13, 2006**

### **STATEHOUSE REPORT FROM REP. VERN TINCHER**

INDIANAPOLIS – After only the second week of the 2006 session of the Indiana General Assembly, the Legislature is already working at full speed.

Our faster pace reflects the fact that this is a short session. With our work to be done by mid-March, most Indiana House and Senate committees already have met at least once, and we have debated and voted on some major measures.

Certainly the week's highlight was the State of the State Address from Gov. Mitch Daniels, in which he reviewed what has taken place over the past year and discussed what he would like to see take place in 2006.

The governor continues to tout his Major Moves program to rebuild roads and bridges. He intends to pay for much of this program by leasing the Indiana Toll Road to private investors and building the Interstate 69 extension from Evansville to Indianapolis through a public-private partnership and turning that extension into a toll way. Beyond that, he continues to provide very few details of how this system would work.

My concerns about this proposal remain unchanged. We are being asked to support a program that is likely to funnel billions of dollars out of Indiana and into the pockets of foreign investors. Before signing on to such a deal, I want to make sure our financial interests are protected, and that people will be protected from unchecked increases in tolls and other fees.

After initially saying that he wanted to use the money collected from the recent tax amnesty program for the state budget, the governor now wants to use a portion of those proceeds to repay past obligations to Indiana schools. That is a good idea, but we still have a long way to go to make up the massive losses in state support for education that result from the current state budget. The governor said very little about the need to help property taxpayers who will see their bills increase as a result of that budget.

I was disappointed that the governor did not spend more time talking about job creation. Federal labor statistics indicate we have lost 7,000 jobs in the past year, and there are many who are concerned that selling off state programs and resources to investors from outside Indiana and the U.S. will lead to more people falling out of work.

For the second straight year, the governor used his speech to advocate a tax increase, this time a 25-cent a pack hike in cigarette taxes. I am disturbed that the governor provides no use for the revenue raised by this tax increase, but simply says he wants to raise taxes.

That is not the only tax increase that will be discussed this session. The governor has advocated passage of legislation (House Bill 1400) that will enable local units of government to enact local option income, sales, food and beverage and innkeeper's taxes.

In addition, the House Ways and Means Committee forced through passage of a measure that is supposedly designed to provide property tax relief for homeowners, but the bill as passed contained no fiscal impact, so we are unclear as to whether it will give true relief.

The governor has talked about the need to reorganize and consolidate local government, and a centerpiece of that effort will be moving all responsibilities for assessing local property to county assessors. This move would eliminate the posts of township assessors and remove assessment responsibilities from township trustees.

Now that Gov. Daniels has outlined his priorities, the focus shifts to the Legislature, where these initiatives will be discussed in the next several weeks. We must complete committee work on House bills by January 26, just two weeks away. With 440 House bills and four joint resolutions filed for consideration, we have a lot on our plate.

In fact, discussion of some of this session's major issues already has started.

Members of the House Judiciary Committee approved House Bill 1010, which would restrict the use of eminent domain by governments to take property to use for private economic development projects. The legislation comes in reaction to a 2005 U.S. Supreme Court decision that enables officials to condemn homes and businesses for development projects.

The bill would allow eminent domain to be used only as a last resort if no other reasonable alternative exists. The government would be required to pay homeowners 150 percent of the property's fair market value, as well as most of the owner's attorney fees.

While the measure has received substantial support so far, many are worried about a provision in House Bill 1010 that exempts the Indiana Department of Transportation (INDOT) from the eminent domain restrictions.

Opponents do not believe some government agencies should play by different rules than others, and there are concerns that INDOT will use this exemption to grab property for some of the public-private partnerships proposed for new infrastructure improvement projects like the Interstate 69 extension.

The House Education Committee passed a measure (House Bill 1240) that would require students to take the ISTEP skills test in the spring rather than the fall. Opponents of this change, which have included the state's superintendent of Public Instruction and officials with the Indiana Department of Education, believe the change will increase the cost of the program and prevent teachers from having ample time to help those students found to be having trouble in the classroom.

If you need to reach me when the Legislature is in session, please call me on the toll-free Statehouse telephone number of 1-800-382-9842, e-mail me through my Internet Web site at [www.IN.gov/H46](http://www.IN.gov/H46) or write to me in care of the Indiana House of Representatives, 200 W. Washington St., Indianapolis, IN 46204.

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